

## Message Text

LIMITED OFFICIAL USE

PAGE 01 EC BRU 01126 01 OF 02 031821Z

40

ACTION EUR-12

INFO OCT-01 ISO-00 CEA-01 CIAE-00 COME-00 EB-07 FRB-03

INR-07 NSAE-00 CIEP-01 SP-02 STR-04 TRSE-00 LAB-04

SIL-01 SAM-01 OMB-01 DLOS-04 L-03 H-02 NSC-05 PA-01

PRS-01 USIA-06 OFA-01 INT-05 IO-11 AGR-05 OES-03

CEQ-01 EPA-01 SAL-01 /095 W  
----- 030173

R 031706Z FEB 75

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 438

INFO ALL EC CAPITALS 1623

INFO USMISSION UN

LIMITED OFFICIAL USE SECTION 1 OF 2 EC BRUSSELS 1126

E.O. 11652: N/A

TAGS: EEC, EFIS, LOS

SUBJECT: LOS: THE EC EXAMINING THE IMPLICATIONS OF 200  
MILES

1. SUMMARY: THE EC COMMISSION HAS PREPARED A NEW WORKING DOCUMENT ANALYZING THE IMPLICATIONS FOR THE COMMUNITY OF THE POSSIBLE IMPOSITION BY ITS NEIGHBORS OR BY THE COMMUNITY ITSELF OF A 200 MILE MARITIME ECONOMIC ZONE. THE COMMITTEE OF PERMANENT REPRESENTATIVES HAS ALREADY TAKEN AN INITIAL LOOK AT THE DOCUMENT AND THE MATTER IS EXPECTED TO BE DISCUSSED BY THE COUNCIL OF FOREIGN MINISTERS ON FEBRUARY 9-10. END SUMMARY.

2. ACCORDING TO SOURCES IN THE EC COMMISSION AND THE COUNCIL, IT BECAME CLEAR THAT THE HANDWRITING WAS ON THE WALL AND THAT EITHER AS A PART OF THE LAW OF THE SEA CONFERENCE OR BY UNILATERAL ACTION, THE COMMUNITY WOULD SOON BE FACED WITH THE REALITY OF 200 MILE MARITIME ECONOMIC ZONES. TO PREPARE TO  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 EC BRU 01126 01 OF 02 031821Z

DEAL WITH THIS EVENTUALITY, THE COMMISSION SERVICES HAVE

PREPARED A WORKING DOCUMENT WHICH WAS EXAMINED BY THE COMMITTEE OF PERMANENT REPRESENTATIVES (COREPER) ON JANUARY 29.

3. LUXEMBOURG AMBASSADOR AND PERM REP CHAIRMAN DONDELINGER IS EXPECTED TO MAKE A PRESENTATION ON THE SUBJECT TO THE EC COUNCIL OF FOREIGN MINISTERS SCHEDULED FOR FEBRUARY 9-10. ACCORDING TO OUR SOURCES, IT IS BECOMING INCREASINGLY CLEAR TO BOTH THE COMMISSION AND THE MEMBER STATES THAT AT LEAST THE FISHERIES ASPECTS OF THE LAW OF THE SEA WILL HAVE TO BE HANDLED WITHIN THE COMMUNITY FRAMEWORK, IMPLYING BOTH A COMMON COMMUNITY POSITION AT THE LOS CONFERENCE AND THE ADHESION OF THE COMMUNITY AS SUCH TO ANY RESULTING CONVENTION. TO PREPARE SUCH A COMMUNITY POSITION THE COMMUNITY HAS ELEVATED THE FISHERIES QUESTION TO THE POLITICAL LEVEL (COREPER AND COUNCIL). OUR SOURCES TELL US THAT IN THE PAST SOME MEMBER STATES CONTESTED THE COMMUNITY'S ROLE IN THE LOS AND THE COMMISSION'S EFFORT TO COORDINATE MEMBER STATE POSITIONS WAS NOT VERY EFFECTIVE. THESE SOURCES SAY THE MOOD IS CHANGING, HOWEVER, AND AT LEAST ON FISHERIES ASPECTS OF LOS THEY EXPECT THE COMMISSION TO HAVE A LARGER ROLE IN THE FUTURE.

4. WE HAVE OBTAINED IN CONFIDENCE A DRAFT OF THE COMMISSION'S WORKING DOCUMENT. IT INDICATES THAT THE MAJORITY OF STATES PARTICIPATING IN THE UN LAW OF THE SEA CONFERENCE HAVE SUPPORTED THE CONCEPT OF 200 MILE ECONOMIC ZONES IN WHICH COASTAL STATES WILL CONTROL THE EXPLOITATION OF NATURAL RESOURCES INCLUDING FISH. A NUMBER OF MAJOR FISHING NATIONS HAVE ALREADY MADE PREPARATIONS FOR INSTITUTING SUCH A ZONE IN THE NEAR FUTURE, PREFERABLY WITHIN THE FRAMEWORK OF THE LAW OF THE SEA CONFERENCE, BUT UNILATERALLY IF NECESSARY. CERTAIN COUNTRIES, E.G. ICELAND, HAVE ALREADY PROCLAIMED AN EXTENSION OF EXCLUSIVE FISHING ZONES. THE COMMUNITY MUST, THEREFORE, URGENTLY CONSIDER THE IMPLICATION OF THE PROBABLE EXTENSION OF FISHING ZONES BY THIRD COUNTRIES WHICH WILL AFFECT THE COMMUNITY'S RIGHT TO FISH IN THOSE WATERS AND THE CONSEQUENCES OF THE CREATION OF A 200 MILE ZONE AROUND THE COMMUNITY.

5. THE PAPER NOTES THAT CURRENTLY THE MEMBER STATES OF THE COMMUNITY ARE REQUIRED TO INSURE EQUAL CONDITIONS OF ACCESS TO WATERS UNDER THEIR SOVEREIGNTY OR JURISDICTION TO ALL COM-  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 EC BRU 01126 01 OF 02 031821Z

MUNITY FISHERMAN. IF A 200 MILE ZONE WERE ESTABLISHED AROUND THE COMMUNITY THE PRINCIPLE OF EQUAL ACCESS WOULD APPLY WITHIN IT.

6. ACCORDING TO THE WORKING PAPER, THE EXTENSION OF THIRD COUNTRIES FISHING ZONES WOULD HAVE SERIOUS CONSEQUENCES FOR THE STRUCTURE OF THE COMMUNITY'S FISHING INDUSTRY. ALTHOUGH IN TERMS OF TONS CAUGHT THERE WOULD ALMOST BE A BALANCE BE-

TWEEN THE COMMUNITY'S LOSS DUE TO A 200 MILE EXTENSION BY THIRD COUNTRIES AND ITS GAIN IN TERMS OF FISH CURRENTLY CAUGHT BY THIRD COUNTRIES IN THE 200 MILES AROUND THE COMMUNITY, THE COMMUNITY WOULD SUFFER SIGNIFICANT ECONOMIC LOSS IN TERMS OF VALUE. TON FOR TON THE FISH IN THE COMMUNITY WATERS ARE NOT AS VALUABLE AS THOSE CURRENTLY CAUGHT BY COMMUNITY FISHERMEN IN WHAT WOULD BE THIRD COUNTRIES' WATERS. THE ECONOMIC LOSS WOULD FALL MORE HEAVILY ON SOME MEMBER STATES THAN OTHERS.

7. IF THE COMMUNITY WERE DEPRIVED OF ITS RIGHTS TO FISH IN ITS TRADITIONAL GROUNDS AROUND THIRD COUNTRIES THERE WOULD PROBABLY BE MORE INTENSIVE FISHING BY COMMUNITY FISHERMEN IN THE COMMUNITY'S WATERS ACCORDING TO THE COMMISSION STUDY. UNDER THESE CIRCUMSTANCES THE APPLICATION OF THE PRINCIPLE OF EQUAL ACCESS WITHIN THE COMMUNITY'S 200 MILE ZONE WITHOUT PROVISION FOR LIMITING OR ORGANIZING THE FISHING EFFORT COULD LEAD TO THE EXHAUSTION OF FISH STOCKS. IT IS THEREFORE NECESSARY TO DEVELOP A SYSTEM OF COMMUNITY MANAGEMENT OF THE COMMUNITY'S FISHERIES RESOURCES TO INSURE BOTH A RATIONAL EXPLORATION OF THE EXISTING STOCKS AND AN EQUITABLE SHARING OF THE LIMITED RESOURCES AMONG THE MEMBER STATES.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 EC BRU 01126 02 OF 02 031814Z

40

ACTION EUR-12

INFO OCT-01 ISO-00 CEA-01 CIAE-00 COME-00 EB-07 FRB-03

INR-07 NSAE-00 CIEP-01 SP-02 STR-04 TRSE-00 LAB-04

SIL-01 SAM-01 OMB-01 DLOS-04 L-03 H-02 NSC-05 PA-01

PRS-01 USIA-06 OFA-01 INT-05 IO-11 AGR-05 OES-03

CEQ-01 EPA-01 FEAE-00 SAL-01 /095 W

----- 030103

R 031706Z FEB 75

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 439

INFO ALL EC CAPITALS 1624

USMISSION UN

LIMITED OFFICIAL USE SECTION 2 OF 2 EC BRUSSELS 1126

8. THE COMMISSION HAS SUGGESTED THAT SUCH ARRANGEMENTS SHOULD INCLUDE ESTABLISHING A SYSTEM OF CATCH QUOTAS BASED ON SUCH FACTORS AS LOSSES SUFFERED IN THE WATERS OF THIRD COUNTRIES AND THE NEED TO MAINTAIN EMPLOYMENT IN CERTAIN AREAS. IT IS CLEAR, ACCORDING TO THE STUDY, THAT WITH RESPECT TO COASTAL FISHING ADDITIONAL MEASURES WOULD BE REQUIRED SUCH AS SPECIFIC CATCH QUOTAS FOR COASTAL FISHERMEN, THE EXCLUSION IN CERTAIN AREAS OF FISHING VESSELS OVER A CERTAIN SIZE AND CAPACITY, OR LIMITING FISHING IN CERTAIN COASTAL ZONES TO LOCAL FISHERMEN. SOME OF THESE ARRANGEMENTS COULD BE DEVELOPED WITHIN THE FRAMEWORK OF EXISTING COMMUNITY RULES WHEREAS OTHERS WOULD REQUIRE NEW COMMUNITY REGULATIONS.

9. THE DOCUMENT ADDS THAT THE NEGOTIATION OF CONDITIONS UNDER WHICH COMMUNITY MEMBER STATES MAY CONTINUE TO FISH IN THE 200 MILE ZONES AROUND THIRD COUNTRIES CAN BE EXPECTED TO INVOLVE THE GRANTING OF TRADE CONCESSIONS TO THOSE COUNTRIES BY THE COMMUNITY AND ALSO THE POSSIBILITY OF A CONTINUATION OF THIRD COUNTRY FISHING IN COMMUNITY WATERS. IT IS NECESSARY,

LIMITED OFFICIAL USE

PAGE 02 EC BRU 01126 02 OF 02 031814Z

THEREFORE, TO FIND A COMMON APPROACH TO PROTECT THE INTERESTS OF THE COMMUNITY. AT LEAST IN CASES WHERE TRADE CONCESSIONS OR RECIPROCAL FISHING RIGHTS ARE CONCERNED, THE PAPER PROPOSES THAT THE COMMUNITY AS SUCH WOULD NEGOTIATE WITH THIRD COUNTRIES.

10. THE PAPER CONCLUDES THAT IT FOLLOWS FROM THE ABOVE THAT MEMBER STATES SHOULD ACCEPT THE CONCEPT OF THE 200 MILE ECONOMIC ZONE AT THE LAW OF THE SEA CONFERENCE AND DEVELOP A COMMON POSITION TO DEFEND COMMUNITY INTERESTS WITHIN THAT FRAMEWORK. MOREOVER A PROPOSAL SHOULD BE SUBMITTED TO THE CONFERENCE TO ENABLE THE COMMUNITY AS SUCH TO BECOME A PARTY TO THE CONVENTION.

11. A COPY OF THE FRENCH TEXT IS BEING POUCHED TO THE DEPARTMENT, EUR/RPE AND D/LOS.MORRIS

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHING RIGHTS, MINISTERIAL MEETINGS, TWO HUNDRED MILE LIMIT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 FEB 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975ECBRU01126  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760040-1185  
**From:** EC BRUSSELS  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750276/aaaacqrh.tel  
**Line Count:** 211  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 09 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <09 APR 2003 by MartinML>; APPROVED <10 APR 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: THE EC EXAMINING THE IMPLICATIONS OF 200 MILES  
**TAGS:** EFIS, PLOS, EEC  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006